

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

SHAWN A. THIBODEAU,

No. 2:21-cv-01474-AC

Plaintiff,

ORDER

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

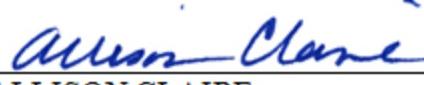
Plaintiff, proceeding in pro se, filed this social security action and moved to proceed in forma pauperis. ECF Nos. 1, 2. Plaintiff identified himself as a resident of Middletown Lake, California, which is in Lake County. ECF No. 1 at 2.

The proper venue for judicial review of a final decision regarding a claim for Social Security benefits is the United States district court of the judicial district where the plaintiff resides or has his or her place of business, or if the plaintiff's residence or principal place of business is outside any such judicial district, in the United States District Court for the District of Columbia. 42 U.S.C.A. § 405(g). In this case, plaintiff resides in Lake County, which is part of the Northern District of California. Therefore, plaintiff's claim should have been filed in the United States District Court for the Northern District of California. In the interest of justice, a federal court may transfer a complaint filed in the wrong district to the correct district. See 28

1 U.S.C. § 1406(a); Starnes v. McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

2 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United  
3 States District Court for the Northern District of California.

4 DATED: August 31, 2021

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6 ALLISON CLAIRE  
7 UNITED STATES MAGISTRATE JUDGE

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